

and Tuum; and in all Cases criminal, to be paid according to the Directions of the * Act of Assembly of this Province, for speedy Trial of Criminals, and for the Payment of their Fees. And that it shall and may be lawful for the Justices of the several and respective County Courts of this Province, to allow unto every Person or Persons that shall be summoned to give their Evidence in their several and respective Courts, in any Action or Controversy depending in the said Courts, the Sum of Thirty Pounds of Tobacco for every Day they attend as an Evidence, until such Cause shall be ended, and no more; to be paid in the same Manner as Evidences that attend the Provincial Court are herein before directed to be paid.

C H A P. XXXVII.
In the County Courts, 30th Tobacco per Diem.

Examined and Compared with the Original Act, REVERDY GHISELIN, THOMAS BACON.

* 1715, ch. 26. See the Act of 1760, ch. 16, §. 6, for their Allowance of itinerant Charges, when summoned to give Evidence in any other County.

C H A P. XXXVIII.

An Act ascertaining the Gauge and Tare of Tobacco Hogsheads; and to prevent cropping and defacing Tobacco taken on board Ships or Vessels upon Freight; and for laying Impositions on Tobacco per the Hogshead for the Support of Government; and for encouraging Settlements in this Province by ascertaining the Manner of paying the Alienation Fines and Quit-Rents to the Lord Proprietary of this Province, on the Conditions therein mentioned. Lib. LL. N^o 4. fol. 206. EXP.

Passed 3d June 1715.

To remain in Force till the End of the next Session which should happen after the 10th May next ensuing. A new Act 1716, ch. 8.

C H A P. XXXIX.

An ACT for the better Administration of Justice in Testamentary Affairs, granting Administrations, Recovery of Legacies, securing Filial Portions, and Distribution of Intestates Estates Lib. LL. N^o 4. fol. 214. Ditto.

Supplementary, and other Acts relating hereto, are, 1718, ch. 5; 1719, ch. 14; 1720, ch. 24; 1722, ch. 10; 1726, ch. 9; 1729, ch. 24; 1729, ch. 25; 1735, ch. 17; 1752, ch. 3; and 1758, ch. 4.

WHEREAS for due Administration of Justice, it is most necessary that the Wills of all Persons may be duly proved and executed, and Letters of Administration of the Estates of all Persons dying without Wills may be granted to such Persons who have the best Right to succeed thereto, and all Legacies speedily recovered, and Filial Portions and Orphans Estates duly secured, and easily obtained, according to Law and Justice. Preamble.

II. Be it Enacted, by the King's most excellent Majesty, by and with the Advice and Consent of his Majesty's Governor, Council, and Assembly of this Province, and the Authority of the same, That the Judge or Commissary-General for Probate of Wills, and granting Administrations, hold his Court once in Two Months at the least, or oftener, as the Case shall require, and therein shall proceed according to the Laws of England now in Force, or to be hereafter in Force, within Twelve Months after such Laws shall be Published in the Kingdom of Great-Britain, if pleaded before him; saving in such Cases, as by this present Act is provided: And that it shall and may be lawful for the Judge for Probate of Wills to take the Probate, or cause to be proved, any Last Will or Testament within this Province, although the same concerns Titles of Land; any Law, Statute, Usage or Custom, to the contrary notwithstanding. The Commissary-General to hold his Courts once in two Months: How to proceed therein. His Authority in taking Probate of Wills.

III. And to the End that all Filial Portions may be secured to the Children of all Persons dying Intestate, and Legacies paid to Legatees of Persons making Wills and Testaments; Be it likewise Enacted, by the Authority aforesaid,